

Applicants: William R. Jacobs, Jr., Tsungda Hsu, Stoyan Bardanov,
Vasan Sambandamurthy and Sheldon Morris
Appl. No.: 10/542,958
Filed: January 30, 2007
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Remarks

Claims 1, 5, 8, 10, 12, 13, 16-19, 22-25, 28, 30, 32, 38, 39, 41 and 87 were pending in the subject application. By this amendment, Claims 1 and 19 have been amended to further define applicants' invention, and Claims 12, 13, 16-18, 22-25, 28, 30, 32, 38 and 39 have been canceled without prejudice or disclaimer to applicants' right to pursue these claims later during prosecution of the subject application or a later-filed continuation or divisional application. The amendments to Claims 1 and 19 are supported by the application as filed and do not introduce new matter. Accordingly, entry of the foregoing claim amendments is respectfully requested.

Rejection Under 35 U.S.C. §112, First Paragraph

Claims 1, 5, 8, 10, 12, 13, 16-19, 22-25, 28, 30, 32, 38, 39, 41 and 87 were rejected under 35 U.S.C. §112, first paragraph.

Applicants note that Claim 1 has been amended to refer to inoculating a mammal against *Mycobacterium tuberculosis*. In view of this amendment, it is believed that this rejection is now moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 1, 5, 8, 10, 12, 13, 16-19, 22-25, 28, 30, 32, 38, 39, 41 and 87 were rejected under 35 U.S.C. §112, first paragraph. Again, applicants note that Claim 1 has been amended to refer to inoculating a mammal against *Mycobacterium tuberculosis*. In view of this amendment, it is believed that this rejection is now moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

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Supplemental Information Disclosure Statement

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the attached form PTO/SB/08A and B (2 pages). Copies of the non-U.S. patent items listed on form PTO/SB/08A and B are also included.

CONCLUSIONS

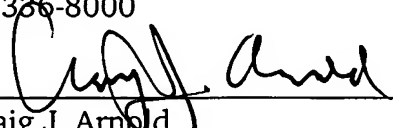
In view of the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejections set forth in the November 20, 2008 Office Action and passage of the pending claims to allowance are respectfully requested. If there is any minor matter preventing the allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

No fee, other than the \$245 two month extension of time fee and the \$470 RCE fee, is deemed necessary in connection with the filing of this Amendment. However, if any fee is required to preserve the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may also be credited to Deposit Account No. 01-1785.

Respectfully submitted

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By: 
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